

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

CHAPTER 11

DON BETOS TACOS-RALEIGH INC.,

CASE NO. 20-03662-5

Debtor.

**APPLICATION BY DEBTOR FOR AUTHORITY TO
EMPLOY AND APPOINT ATTORNEYS**

NOW COMES, Don Betos Tacos-Raleigh Inc., Debtor in the above-referenced case, pursuant to Bankruptcy Rule 2014, and respectfully files this application to employ attorneys for the Debtor and represents as follows:

1. Debtor filed a voluntary petition pursuant to Chapter 11 of the Bankruptcy Code on November 10, 2020.

2. Debtor wishes to employ William P. Janvier and the Janvier Law Firm, PLLC (“Firm”). William P. Janvier is duly admitted to practice in this Court.

3. Debtor has selected William P. Janvier for the reason that he has experience in Chapter 11 reorganization matters and Debtor believes that William P. Janvier and the Firm are well qualified to represent him in this proceeding.

4. The professional services William P. Janvier and the Firm are to render are as follows:

a. To prepare on behalf of Debtor necessary applications, complaints, answers, orders, reports, motions, notices, plan of reorganization, disclosure statement, and other papers necessary to Debtor’s reorganization case.

b. To perform all necessary legal services in connection with the Debtor’s reorganization, including Court appearances, research, opinions and consultations on reorganization options, direction, and strategy; and

c. To perform all other legal services for Debtor which may be necessary in this Chapter 11 case.

5. It is necessary for Debtor to employ an attorney in this Chapter 11 case for the professional services described in paragraph 4 above.

6. Debtor desires to employ William P. Janvier and the Firm on an hourly basis for work performed. The terms of the employment of William P. Janvier and the Firm are contained in the attached Affidavit of Disinterestedness.

7. Except as disclosed in the attached affidavit, William P. Janvier and the Firm represent no interest adverse to Debtor or the estate in the matters upon which they are to be engaged for Debtor and said employment would be in the best interest of the estate.

WHEREFORE, Debtor prays that he be authorized to employ and appoint William P. Janvier and the Janvier Law Firm, PLLC as his attorneys on the basis set out herein, and that he have such other and further relief as is just.

This the 17th day of November, 2020.

s/ Bryan Flores
Bryan Flores
President, Don Betos Tacos-Raleigh Inc.

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IN RE:

CHAPTER 11

DON BETOS TACOS-RALEIGH INC.,

CASE NO. 20-03662-5

Debtor.

**AFFIDAVIT OF DISINTERESTEDNESS AND IN SUPPORT OF APPLICATION BY
DEBTOR FOR AUTHORITY TO EMPLOY AND APPOINT ATTORNEYS**

STATE OF NORTH CAROLINA
COUNTY OF WAKE

William P. Janvier, of Janvier Law Firm, PLLC ("Firm"), being first and duly sworn, avers and says that:

1. He is an attorney duly licensed to practice law in the State of North Carolina and in this Court.

2. He practices law with Janvier Law Firm, PLLC, located at 311 E. Edenton Street, Raleigh, NC 27601.

3. Neither William P. Janvier nor the Firm has any business connections with the above-named Debtor, his creditors, or any other party in interest, or his respective attorneys or accountants.

4. Neither William P. Janvier nor the Firm represents or holds any adverse interest to the Debtor or the estate in the matters upon which they are to be engaged.

5. William P. Janvier and the Firm have entered into an agreement with the Debtor regarding fees which provides that:

Subject to Court approval, William P. Janvier and William E. Brewer will render services at the rate of \$480.00 per hour; Samantha Y. Moore and William F. Braziel III will render services at the rate of \$350.00 per hour; Kathleen O'Malley will render services at the rate of \$280.00 per hour; Erin Duffy will render services at the rate of \$260.00 per hour; and the firm's law clerks and paralegals will render services at the rate of \$135.00 per hour. Hourly rates may be subject to increase on January 1st of each year.

Prior to filing, Janvier Law Firm, PLLC received a retainer of \$10,000.00 from the Debtor. Invoices for services and expenses in the amount of

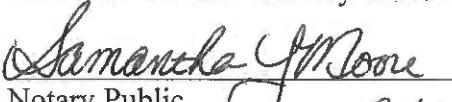
\$7,884.00 were paid from the pre-petition retainer. Janvier Law Firm, PLLC is holding the remaining \$2,116.00 in trust.

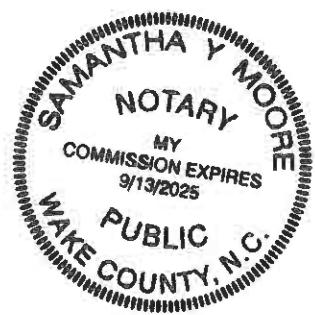
This the 17th day of November, 2020.



William P. Janvier

Sworn to and subscribed
before me this the 17th day of November, 2020.


Notary Public
My Commission Expires: 9/13/2025



CERTIFICATE OF SERVICE

I, William P. Janvier, do hereby certify that the foregoing APPLICATION BY DEBTOR FOR AUTHORITY TO EMPLOY AND APPOINT ATTORNEYS and AFFIDAVIT OF DISINTERESTEDNESS AND IN SUPPORT OF APPLICATION BY DEBTOR FOR AUTHORITY TO EMPLOY AND APPOINT ATTORNEYS has been served upon each of the parties listed below by placing copies of the same in the United States mail, postage prepaid or by electronic mail as indicated below.

Marjorie K. Lynch (Via CM/ECF)
Bankruptcy Administrator, EDNC
434 Fayetteville Street, Suite 640
Raleigh, NC 27601

Don Betos Tacos-Raleigh Inc.
421 Chapanoke Rd.
Ste. 105
Raleigh, NC 27603

All other parties registered to receive service through the CM/ECF electronic filing system.

This the 17th day of November, 2020.

JANVIER LAW FIRM, PLLC

s/ William P. Janvier
William P. Janvier
N.C. State Bar No. 21136
311 E. Edenton Street
Raleigh, NC 27601
Telephone: (919) 582-2323
Facsimile: (866) 809-2379